

AMENDMENTS TO THE CLAIMS

This listing of claims supersedes all prior versions and listings of claims in this application:

LISTING OF CLAIMS:

1. (currently amended) A method of operating a radio-based telecommunications system, wherein a common physical channel is used to transmit data on ~~the a~~ downlink from a radio base station ~~being~~ controlled by a radio network controller, to a mobile user equipment, wherein the data is transmitted in frame slots of a frame, each the frame representing a combination of transport channels, and wherein each of the frame slots slot of the frame ~~having comprise~~ a field for carrying ~~bits of said data bits~~ and ~~having~~ a field for carrying ~~bits of an indicator bits~~, wherein said indicator indicating bits indicate the combination of said transport channels used in said frame, and ~~said indicator further indicating indicates~~ if no data is ~~to be~~ transmitted in said frame, wherein the method comprising ~~the steps of~~:

if data is transmitted in the frame, setting ~~the a~~ transmit indicator power of the indicator bits ~~in dependence from based on a transmit~~ data power of the data bits ~~if data is transmitted in the frame, and~~

~~or~~ if no data is transmitted in the frame, setting the transmit indicator power of said indicator bits ~~in dependence from based on a virtual reference power, wherein the virtual reference power which is calculated from parameters comprising based on one of a first power values defined value defined~~ by a radio network element, ~~in particular the radio network~~

~~controller, or comprising and a second power values value representing an average of that transmit powers which have been used to transmit that data within at least two of the preceding frames.~~

2. (currently amended) [[A]] The method according to claim 1, wherein each frame slot of the frame further having comprises a field for carrying bits of a which carries pilot bits, wherein said pilot being a training sequence bits are a pattern for optimizing the reception of the data on said common physical channel, the method further comprising the steps of:

if data is transmitted, setting the a transmit pilot power of the pilot bits to based on said transmit data power of the data bits, and

if no data is transmitted, setting the transmit pilot power of said pilot bits in dependence from based on said virtual reference power.

3. (currently amended) [[A]] The method according to claim 1, wherein setting the transmit indicator power and/or and the transmit pilot power are each adapted to said virtual reference power by adding a respective power offset to said virtual reference power.

4. (currently amended) [[A]] The method according to claim 3, wherein the transmit indicator power and and/or the transmit pilot power are each set adapted to said virtual reference power as well as to said transmit data power by adding the same respective power offset.

5. (currently amended) [[A]] The method according to claim 1, wherein the first power values are predefined maximum power levels levels which are shall not be exceeded on the transport channels.

6. (currently amended) [[A]] The method according to claim 5, wherein one of the first power values comprise a is the paging channel power, and wherein at least another one is that a maximum forward access channel power which does shall not be exceeded on the a respective forward access channel.

7. (currently amended) [[A]] The method according to claim 5, wherein the virtual reference power is calculated by selecting a lowest power level from ~~out~~ of said maximum power levels ~~the lowest power level for being used at all or for being which are~~ used on the transport channels.

8. (currently amended) [[A]] The method according to claim 5, wherein the virtual reference power is calculated based on a mean power level based on ~~by building from~~ said maximum power levels ~~a mean power level for being~~ used on the transport channels.

9. (currently amended) A device ~~or a set of devices~~ for operating a radio-based telecommunications system, wherein a common physical channel is used to transmit data on the a

downlink from a radio base station ~~being~~ controlled by a radio network controller, to a mobile user equipment, wherein the data is transmitted in frame slots of a frame, each the frame representing a combination of transport channels, and wherein each of the frame slots ~~slot~~ of the frame having comprise a field for carrying ~~bits of said data bits~~ and having a field for carrying ~~bits of an indicator bits~~, wherein said indicator indicating bits indicate the combination of said transport channels used in said frame, and said indicator further indicating indicates if no data is to be transmitted in said frame, the device ~~or set of devices~~ comprising:

~~means for setting the a transmit indicator power of the indicator bits in dependence from based on a transmit data power of the data bits, if data is transmitted in the frame, and~~

~~means for setting the transmit indicator power of said indicator bits, if no data is transmitted in the frame, in dependence from based on a virtual reference power which power, wherein the virtual reference power is calculated from parameters comprising based on one of a first power values value defined by a radio network element, in particular by the radio network controller or comprising and a second power values value representing an average of that transmit powers which have been used to transmit that data within at least two of the preceding frames.~~

Please add the following newly presented claim 10.

10. (new) The method according to claim 5, wherein the virtual reference power is calculated by selecting a lowest power level being used at all from said maximum power levels.